

1/23/84

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(84) 27 final

Brussels, 23 January 1984

441. 2(103)

Proposal for a

COUNCIL REGULATION (EEC)

suspending tariff concessions and raising duties under the
Common Customs Tariff in regard to certain products originating
in the United States of America, and establishing quantitative
restrictions in regard to other products originating
in that country

(submitted to the Council by the Commission)

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EXPLANATORY NOTE

On 19 November 1983, the Council decided in principle to increase duties and to establish quantitative restrictions in regard to certain products imported into the Community and originating in the United States of America. These duties and quantitative restrictions are to be imposed only in the event that negotiations between the United States and the Community under Article XIX, paragraph 2 of the GATT, initiated after the imposition of additional duties and quantitative restrictions for certain specialty steels by the United States of 20 July 1983, did not reach a successful conclusion before 15 January 1984. With a view to this the definitive list of compensatory measures was approved by the Council on 9 January 1984.

The purpose of the proposed regulation to the Council attached is to establish the definitive list of compensatory measures with a view to their application in the Member States.

PROPOSAL

for a Council regulation (EEC) suspending tariff concessions and raising duties under the Common Customs Tariff in regard to certain products originating in the United States of America, and establishing quantitative restrictions in regard to other products originating in that country.

The Council of the European Communities,

having regard to the Treaty establishing the European Economic Community, and in particular Article 113 of that Treaty,

having regard to the proposal of the Commission,

whereas the United States of America decided, with reference to Article XIX of the General Agreement on Tariffs and Trade to proceed unilaterally as of 20 July 1983 to increase tariffs and to impose quantitative restrictions on the import of certain steel products;

whereas these measures are causing considerable injury to the Community producers concerned, and put into question the balance of rights and obligations resulting from the General Agreement;

whereas the consultations which were held between the United States and the Community in accordance with paragraph 2 of Article XIX did not reach a satisfactory conclusion;

whereas in accordance with paragraph 3 (a) of Article XIX any Contracting Party injured by such measures, has the right to suspend concessions or other substantially equivalent obligations resulting from the General Agreement, in regard to the trade of the Contracting Party which has taken such measures;

whereas it is necessary, in the present situation, to have recourse to these provisions in regard to the United States;

whereas it follows that it is necessary to suspend the application of concessions granted to the United States of America for certain products and to increase the rates of duty applicable to those products;

whereas it is also necessary to subject certain products originating in the United States to quantitative restrictions;

whereas it is necessary to provide for the measures appropriate to the administration of these quantitative restrictions;

HAS ADOPTED THE FOLLOWING REGULATION :

Article 1

The annex "Common Customs Tariff" of regulation (EEC) number 950/68 of the Council (1), last modified by regulation (EEC) number 3333/83 of the Council (2) is amended as follows :

(1) J.O. n° L 172 du 22.7.1968 p. 1

(2) J.O. n° L 313 du 14.11.1983 p. 1

HEADING NUMBER	DESCRIPTION	RATES OF DUTY	
		AUTONOMOUS %	CONVEN- TIONAL %
29.04	Acyclic alcohols and their halogenated sulphorated nitrated or nitrosated derivatives: A. Saturated monohydric alcohols I. ethanol (methyl alcohol) II. to V. (unchanged) B. and C. (unchanged)	18 (b) (unchanged) (unchanged)	13,5 (c) (unchanged) (unchanged)
(a) Unchanged (b) The autonomous duty applicable to products originating in the United States of America is set at 19.9 % (c) Products originating in the United States of America do not get the benefit of the conventional duty rate			
29.14	Monocarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives: A. Saturated acyclic mono- carboxylic acids I. (unchanged) II. ACETIC ACID AND ITS SALTS AND ESTERS a) (unchanged) b) (unchanged) c) Esters of acetic acid: 1. Ethyl acetate, vinyl acetate, propyl acetate and isopropyl acetate 2. to 4. (unchanged) III. to XI. (unchanged) B. to D. (unchanged)	(unchanged) (unchanged) (unchanged) 20 (a) (unchanged) (unchanged) (unchanged)	(unchanged) (unchanged) (unchanged) 13,2 (b) (unchanged) (unchanged) (unchanged)
(a) The autonomous duty applicable to vinyl acetate originating in the United States of America is set at 19.6 % (b) Vinyl acetate, originating in the United States of America does not receive the benefit of this conventional duty			

HEADING NUMBER	DESCRIPTION	RATES OF DUTY	
		AUTONOMOUS %	CONVEN- TIONAL %
85.17	Electric sound or visual signalling apparatus (such as bells, sirens, indicator panels, burglar and fire alarms), other than those of heading No 85.09 or 85.16: A. For use in civil aircraft, excluding parts of such goods (a) B. Other	 (unchanged) 15 (b)	 (unchanged) 5 (c)
<p>(a) Unchanged</p> <p>(b) The autonomous duty applicable to signalling apparatus against burglary, fire and similar situations (excluding their components and parts), originating in the United States of America, is set at 11.7 %</p> <p>(c) Signalling equipment against burglary, fire and similar situations (excluding their components and parts), originating in the United States of America, does not receive the benefit of this conventional duty.</p>			

Article 2

The import of products referred to in the annex and originating in the United States of America is hereby subjected to the quotas established in regard to each product in the annex.

Article 3

1. The free circulation of the products referred to in Article 2 is hereby made subject to the presentation of an import authorisation.
2. The distribution of the quotas between Member States is established in accordance with the procedure set out in Article 11 of regulation (EEC) number 1023/70 of the Council (1), on the basis of imports into the Member States in the course of the year 1982.
3. The provisions of regulation (EEC) number 1023/70 above-mentioned, relating to the administration of the quotas, are applicable to the products referred to in the preceeding paragraphs.
4. The quotas may be increased only by a decision of the Council.

Article 4

1. The free circulation of the products referred to in this regulation may be subjected to the presentation of a justification of their origin.
2. The manner of application of this Article shall be in accordance with the procedure laid down in Article 14 of regulation (EEC) 802/68 of the Council (1).

Article 5

This regulation will enter into force on the 1st March 1984. It will apply until 28 February 1985.

This regulation is obligatory in all its parts and directly applicable in each Member State.

Done in Brussels,

For the Council,
The President

(1) J.O. n° L 148 du 28.6.1968, p.1

ANNEX

CCT REFERENCE	NIMEXE CODE (84)	DESCRIPTION	MIO ECU QUOTA LEV 1/3/84 - 28/2/85
29.01 D II	29.01.71	Styrene	25.600
ex 39.02 C I b	39.02.09 39.02.11 39.02.12	Polyethylene in one of the forms mentioned in note 3 d) to chapter 39, of a thickness; - of 0.10 mm or less, of a density : - of less than 0.94 g/cm ³ - of 0.94 g/cm ³ or more - of more than 0.10 mm	9.100 2.000 2.500
ex 93.04 A	93.04.20 30 41 49 60	Sporting and target shooting guns, rifles and carbines other than double barrelled, smooth bore	7.400
ex 97.06 C	97.06.10	Gymnasium and athletic equipment	3.600
ex 97.06 C	97.06.33 34	Snow skis	3.900

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